In the High Court of Judicature at Madras

Dated: 10.04.2006

Coram:

The Honourable Mr.Justice P. SATHASIVAM
and
The Honourable Mr.Justice J.A.K.SAMPATH KUMAR

Habeas Corpus Petition No.341 of 2006

P.Balamurugan .. Petitioner

vs.

1. The Inspector of Police,
   All Women Police Station,
   Gandhipuram,
   Coimbatore.

2. The Superintendent of Police,
   Karur,
   Karur District.

3. M.Kalimuthu .. Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of writ of habeas corpus as stated therein.

For petitioner : Mr.M.Vivekanandan

For respondents : Mr.Abudukumar Rajarathinam
Govt.Advocate(Crl.side)for R1 &R2

Mr.R.Karthikeyan for R3

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ORDER

(Order of the Court was made by P. SATHASIVAM,J.)

The petitioner, by name, P.Balamurugan has filed this petition, seeking direction to the respondents for production of detenue, by name, K.Muthulakshmi, D/o.M.Kalimuthu, Pulianthottam, Chinnadharapuram, before this Court and set her at liberty.

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2. Pursuant to our direction, the girl, by name, K.Muthulakshmi appeared before us. According to her, she is aged about 23 years, her date of birth being 03.04.1984. It is the case of the petitioner that he married the girl K.Muthulakshmi on 20.02.2006. Pursuant to the marriage, the petitioner filed this petition, since according to him, the girl is under the illegal custody of the third respondent, who is none else than the father of the girl.

3. In the light of the allegations made, we enquired the girl K.Muthulakshmi. According to her, she herself tied 'Thali' and no marriage was ever performed. She also asserted that both of them have not lived together even for a single day. She further informed us that on 03.03.2006, she married one Senthil Kumar in the presence of relatives and well wishers and according to her, from that date, she is living with him happily. In the light of the above statement and of the fact that she being a major aged about 23 years, we are satisfied that she is not under the illegal custody of third respondent as claimed by the petitioner.

In the light of the above information, we are satisfied that no further adjudication is required in this petition; accordingly, the same is closed.

gl

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

1. The Inspector of Police,
   All Women Police Station,
   Gandhipuram, Coimbatore.

2. The Superintendent of Police,
   Karur, Karur District.

3. The Public Prosecutor
   High Court, Madras

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+ One cc to Mr M.Vivekanandan, Advocate SR No.18278/06

+ One cc to Mr R.Karthikeyan, Advocate SR No.18377/06

RSN(CO)
CGS/24.4.06

Order in
H.C.P.No.341 of 2006

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